United Nations S/PV.6253

Security Council

Sixty-fourth year

Provisional

6253rd meeting

Wednesday, 23 December 2009, 10 a.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Austria	Mr. Ebner
	China	Mr. Zhang Yesui
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. De Rivière
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Gebreel
	Mexico	Mr. Heller
	Russian Federation	Mr. Dolgov
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation concerning the Democratic Republic of the Congo

Thirtieth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2009/623)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

09-66448 (E)

Please recycle

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Thirtieth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2009/623)

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of the Democratic Republic of the Congo in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ileka (Democratic Republic of the Congo) took a seat at the Council table.

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/663, which contains the text of a draft resolution submitted by France.

I should like to draw the attention of Council members to document S/2009/623, which contains the thirtieth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Libyan Arab Jamahiriya, Mexico, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1906 (2009).

I shall now give the floor to the representative of the Democratic Republic of the Congo.

Mr. Ileka (Democratic Republic of the Congo) (*spoke in French*): The Security Council has just adopted resolution 1906 (2009) of 23 December 2009, which extends the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). My Government duly takes note of this adoption.

I am returning from the Copenhagen summit with every possible understanding of the word "mitigation". I wish to thank those delegations of the Security Council that have worked tirelessly to considerably mitigate the provisions of the initial draft resolution, which could have been the basis for a profound crisis that may have undermined the partnership that has been firmly established for more than a decade between the Security Council and the Democratic Republic of the Congo and that seeks to restore peace to my country. Those delegations have my heartfelt appreciation.

I have received quite a bit of direct correspondence from my fellow citizens, principally from the two Kivu provinces and Orientale province, in which they plead with me to persuade the Council to put an end to their unspeakable suffering. The Congolese people no longer want to be beasts of burden blithely led to the slaughterhouse in the name of some supreme sacrifice. They desire peace, and they desire peace now.

That is what my Government, under the leadership of Mr. Joseph Kabila Kabange, has resolutely and tirelessly worked for. The return of peace — real and lasting peace — is the highest priority of the actions of the President of the Republic.

The path towards that longed-for peace should be subject to no ambiguity. It is interesting to note that recently, when the Council has met to take important

decisions with respect to the restoration of peace in the Democratic Republic of the Congo, some in the press have deliberately sought to influence public opinion in its members' countries and thereby the Council's decisions. I take as proof the Special Rapporteur of the United Nations on extrajudicial, summary and arbitrary executions, whose intellectual probity I publicly challenge. His exit in the month of October was deplorable, and, like many others, I await his report and his conclusions.

With respect to a certain non-governmental organization that defends human rights, which I naturally hold dear, I should like to point out in all amity that the defence of human rights clearly and necessarily entails denouncing their violation. The defence and strengthening of these rights also require active participation in the search for solutions. The non-governmental organization in question is manifestly powerful enough to propose solutions that could be put into effect, and yet we have seen nothing of the sort. Doing nothing is tantamount to contributing to the perpetuation of what has already been one of the greatest tragedies of modern times.

If this state of affairs must continue, in 10 years, if God allows me to live that long, I will still be speaking to the Council about violations of human rights in my country — as I am doing now, humiliated — and about questions of violence against women and rape used as a weapon of war. And yet, some 10 years ago, I was one of the first to bring this scourge to the Council's attention, seeing it through to the bitter end and suffering the sarcasm of the President of the Security Council at the time.

The adoption of this resolution authorizes me to refer to certain truths, if not to say truisms. The first is that part of the solution in the Democratic Republic of the Congo lies in the understanding and the cohesion of the Security Council, and in particular its permanent members. Is Fashoda rising from its ashes, or is the spirit of Saint Malo still alive? One of the keys to peace in my country lies in the answer to that question.

The second is that the Democratic Republic of the Congo is not the cause of the breakdown of peace and international security in the Great Lakes region. It is the victim of armed aggression that today is unanimously recognized but, curiously, has never been qualified as such by the Security Council. The current situation is but a continuation or a consequence of this armed aggression. None of the weapons that are proliferating in the region are made in the Democratic Republic of the Congo. Not even machetes, which since 1993 have become weapons of mass destruction, are made in the Democratic Republic of the Congo or Burundi, much less in Rwanda.

What can we say about the illegal exploitation of natural resources in my country? If national or foreign individuals or third-party countries act as intermediaries for small fry, it is nonetheless true that the ultimate beneficiaries of this illegal exploitation are outside the African continent, as is so well noted by the final report of the Group of Experts on the Democratic Republic of the Congo, contained in document S/2009/603.

As to the supposed or acknowledged lack of discipline of the Armed Forces of the Democratic Republic of the Congo (FARDC), I can only regret that, in spite of the efforts made, today's resolution still reeks of this bitter criticism of the FARDC. This criticism, as we know, is the result of opinions that have been strongly influenced by those who benefit from the instability in the eastern Democratic Republic of the Congo and the entire Great Lakes region.

Instead of following these doomsayers, the United Nations should be driven by a desire to succeed, if only this once, where it sadly failed almost half a century ago, allowing the country to fall into unspeakable chaos. The macabre memories of those violent years are still fresh in the minds of the Congolese people. Today again, the supposed lack of disciple of some elements of the Congolese army seems to be a pretext for the same actors who take pleasure in turning the knife in the wound to perpetuate the misery of the Congolese people. And yet, the resolution remains strangely silent with respect to the bilateral and multilateral training provided beforehand to the Congolese combat units. It is fine to call for enhanced training, including in the framework of security sector reform, but such training must have content.

With respect to the few elements who are nominally FARDC members but continue to elude command and to commit crimes individually or in groups, this problem can be solved only through joint action on the ground between the Congolese and United Nations military, in accordance with the status-of-forces agreement.

Has the Security Council forgotten that the Democratic Republic of the Congo is still a post-conflict country, for which the strengthening of the rule of law remains a major challenge? Must it be recalled that the scandal of the sexual exploitation of Congolese women and children, which the Council itself has denounced, is a direct consequence of that instability? Must we point out yet again that it has been established that no State can effectively address alone the many challenges of restoring justice and respect for the rule of law in post-conflict societies?

The Government of the Democratic Republic of the Congo, having a firm grasp of the situation, launched Operation Zero Tolerance to meet those challenges. With respect to the collateral damage ensuing from the joint MONUC-FARDC Operation Kimia II, it therefore believes that the solution lies in applying this zero-tolerance policy in order to bring the perpetrators of these acts before Congolese courts and tribunals. We therefore invite the United Nations to support our operation, the underlying motivation for which is to re-establish lasting peace and to ensure the good administration of justice that can undermine impunity so as to strengthen and maintain lasting peace in my country.

The third truth is the multiple reference to the Agreements of 23 March 2009. The Security Council's legitimate request for the comprehensive implementation of these Agreements runs somewhat counter to its demand for justice and reintegration into the FARDC. The resolution is silent about what is to be done with those who — despite having their names on the sanctions list of the Security Council Committee established pursuant to resolution 1533 (2004) and being sought by the International Criminal Court — were honoured with a troop review by a Special Envoy of the Secretary-General, who did not hesitate to speak to them before the cameras of the world. We Congolese have never forgotten that shocking and painful spectacle.

Finally, the resolution has nothing to say concerning the main target of the Agreements of 23 March. That individual is known to all present here, and High Commissioners for Human Rights Mary Robinson and the late Sergio Vieira de Mello often called on the Security Council to ensure that this criminal be held accountable for his acts, and in particular his acknowledged role in the 2002 Kisangani massacres.

The fourth truth is the demand for democracy. The resolution calls on my Government to enact and implement legislation within six months of the resolution's adoption. With all due respect to you, Sir, and to the principal organ responsible for the maintenance of international peace and security, I must point out that the Democratic Republic of the Congo has a Constitution, and that it is the Constitution and the Constitution alone that determines the procedure for initiating, enacting and promulgating laws. The Democratic Republic of the Congo is a new democracy. The Congolese people are pleased with their democracy and in no circumstances would desire a return to any form of authoritarianism, even one imposed by the Security Council.

In conclusion, I confirm that my Government will work closely with the Security Council to establish the parameters to determine the future of the United Nations presence in the Democratic Republic of the Congo. The Government will do so alongside the Council, and assures the Council of its future cooperation with those in charge of implementing the new mandate of MONUC within six months of its reconfiguration.

In the meantime, we dare to hope that MONUC will be able to help us face the alarming security situation in the eastern part of the country caused by the ongoing threats of armed groups, foreign and national alike, that are reluctant to disarm and disengage. It is time to end the suffering of the children, women and men of the Congo and to put a halt to the current conflict and its concomitant problems in the administration of justice and the fight against impunity.

I continue to recall the urgent necessity of ending the war, which is in the clear interests not only of the Democratic Republic of the Congo but also of the entire Great Lakes region. We must end the war and the unspeakable suffering of our peoples. The Security Council has the obligation and the duty to assist us in that task.

The President (*spoke in French*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 10.35 a.m.

United Nations S/PV.6254

Security Council

Sixty-fourth year

Provisional

6254th meeting

Wednesday, 23 December 2009, 10.40 a.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Austria	Mr. Ebner
	China	Mr. Zhang Yesui
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. De Rivière
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Dolgov
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice
	Viet Nam	Mr. Le Luong Minh

Agenda

Peace and security in Africa

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09-66454 (E)

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The meeting was called to order at 10.40 a.m.

Adoption of the agenda

The agenda was adopted.

Peace and security in Africa

The President *(spoke in French)*: I should like to inform the Council that I have received letters from the representatives of Djibouti, Ethiopia and Somalia, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President *(spoke in French)*: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/654, which contains the text of a draft resolution submitted by Uganda.

I wish to draw the attention of members of the Council to document S/2009/602, which contains a letter dated 23 November 2009 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council, and to a photocopy of a letter dated 15 December 2009 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council, which will be issued as document S/2009/658.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:
Austria, Burkina Faso, Costa Rica, Croatia, France, Japan, Mexico, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

Against:
Libyan Arab Jamahiriya

Abstaining:
China

The President *(spoke in French)*: There were 13 votes in favour, one against and one abstention. The draft resolution has been adopted as resolution 1907 (2009).

I shall now give the floor to those members of the Council wishing to make statements following the voting.

Mr. Rugunda (Uganda): Uganda voted in favour of resolution 1907 (2009). Uganda is interested in and committed to playing a constructive role in the prevention, mediation and resolution of conflicts in Africa.

In its decision taken at the thirteenth summit held in Sirte, Libyan Arab Jamahiriya, from 1 to 3 July 2009, the African Union called upon the Security Council to:

> "impose sanctions against all those foreign actors, both within and outside the region, especially Eritrea, providing support to the armed groups engaged in destabilization activities in Somalia ... [and] undermining the peace and reconciliation efforts and regional stability."

We commend the Security Council for positively responding to the call by the African Union in the search for peace and stability in Somalia and in the region. We appreciate the overwhelming support of Council members. The resolution is a clear manifestation of the cooperation that exists between the United Nations and the African Union in efforts aimed at resolving conflicts and for the maintenance of peace and security in Africa.

The measures imposed by this resolution are not comprehensive but targeted and corrective. It is my delegation's hope that Eritrea will take the necessary

action to enable the Council to make a positive review of the measures it has imposed today.

Mr. Le Luong Minh (Viet Nam): Having voted in favour of resolution 1907 (2009), just adopted by the Council, Viet Nam calls on Eritrea and other parties concerned to show maximal restraint, refrain from actions that might lead to the exacerbation or escalation of tension, strictly implement the relevant Security Council resolutions and expeditiously engage in dialogue aimed at peacefully resolving their border dispute.

Viet Nam has been consistent in its position that international conflicts, including those originating from border disputes, should be resolved by peaceful means and in compliance with international law and the Charter of the United Nations. We also hold that the international community should be cautious about imposing further sanctions, with a view to avoiding undesired adverse impacts on humanitarian activities and the livelihoods of the people of Eritrea.

The Council should keep the situation under constant review for possible modification or lifting of sanctions measures in the light of positive developments on the ground.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): The Libyan Arab Jamahiriya has always sought to promote peace, security and stability in the Horn of Africa. As President of the African Union, our brother, the Leader of the Revolution of the Libyan Arab Jamahiriya, President Al-Qadhafi, has made many contacts with our African brothers to seek a solution to the problems of the States of the region.

However, this complex, tangled web of problems will require greater efforts, more time and concerted international cooperation in order to persuade all parties to accept the good offices available to them and to bravely face these problems, find solutions to them and establish mechanisms to deal with them.

Libya has encouraged the States of the region to make use of international legal bodies to resolve their border disputes, which are the main cause of conflict and tension. Libya has resolutely stood by the Transitional Federal Government under the presidency of Sheikh Sharif Sheikh Ahmed and has welcomed the Djibouti Agreement as a mechanism that will enable national reconciliation and the creation of a national unity government.

Such a government would make it possible to bring together all components of Somali society and guarantee peace and security in the country. Libya believes that the Djibouti Agreement will promote the establishment of lasting peace in Somalia. We hope that all Somali parties will join the Agreement, lay down their weapons and follow the path of dialogue to resolve their differences.

Libya calls for the resolution of all problems between Somalia and Eritrea.

We believe that the resolution just adopted takes an unrealistic and excessively hasty approach. Sanctions are not the ideal way of resolving the current problems. Their humanitarian impact will further exacerbate the situation in the Horn of Africa, and it is our view that this creates an obstacle to the peaceful solutions to which we aspire, to be attained in the framework of the good offices of the African Union and of the Secretary-General, supported by other international partners.

As members know, the African Union will convene a summit in January. There we shall consider the problems of the Horn of Africa, including Eritrea's role in the region. We look forward to the Secretary-General or his representative participating in the summit, and we would thus have preferred the postponement of today's consideration of this item until the African Union summit outcome was available.

Libya was the victim of sanctions for many years and has therefore committed itself to not being party to the imposition of sanctions against any African country whatsoever. That is why we voted against the resolution adopted today.

Mr. Zhang Yesui (China) (*spoke in Chinese*): The Security Council has just adopted resolution 1907 (2009). China abstained in the vote on that resolution. In that regard, I wish to make three points.

First, China has always firmly supported the peace process in Somalia. China has maintained friendly relations and cooperation with successive Transitional Federal Governments in that country. We support the international community's efforts to promote the process of political reconciliation there and have played an active part in supporting the Security Council's diplomatic efforts in coordinating with the Somali national talks launched in Djibouti. The ultimate settlement of the issue of Somalia

depends not only on a substantive breakthrough in the Somali political reconciliation process, but also on sincere cooperation by the countries of the region. We call on all parties concerned to genuinely respect the sovereignty and territorial integrity of Somalia, to support the Transitional Federal Government of Somalia and to make a greater contribution to peace and security in that country.

Secondly, China has always supported the African Union as it coordinates with the broader international community and as it plays an important constructive role in addressing hot-spot issues in Africa. In recent years, the African Union has vigorously engaged in diplomatic mediation and good offices efforts, as well as in cooperation in peacekeeping endeavours, to deal with hot-spot issues in Africa. It strives to resolve African issues in an African way, and it has gained successful experience. Those African Union efforts merit our respect and further testify to the Union's value, as a strategic partner of the United Nations, in maintaining regional peace and security. We look forward to the African Union playing a larger role in addressing conflict in the Horn of Africa by means of political and diplomatic efforts.

Thirdly, China has always maintained that, in imposing sanctions, the Security Council should act with prudence. The Council's adoption today of a resolution on sanctions against Eritrea should not replace diplomatic efforts to resolve disputes through dialogue and negotiation. The top priority now is for all parties concerned to keep calm, exercise restraint and refrain from actions that could exacerbate the situation. Any country can choose its friends, but no country can choose its neighbours. Harmonious coexistence among members of the Intergovernmental Authority on Development is a blessing for countries in the Horn of Africa. We hope that countries of the region, including Eritrea, will bear in mind the long-term interests of their peoples and their region and will make concerted and more constructive efforts to create a harmonious regional environment favourable to win-win cooperation.

Mr. Ebner (Austria): Austria condemns all acts that attempt to undermine the peace process in Somalia. We urge all parties to join the Djibouti peace process and to support the Transitional Federal Government in its efforts to stabilize the situation in the country.

Austria voted in favour of resolution 1907 (2009). In that context, it was important for my delegation that the imposition of targeted sanctions under that resolution was based on a two-step approach. It is our understanding that any decision on specific designations will be made in the framework of the sanctions Committee established pursuant to resolution 751 (1992) in accordance with the procedural guarantees of resolution 1844 (2008). We hope that the Eritrean Government will use the intervening time to address the concerns of the international community.

Austria believes that, beyond the imposition of sanctions, it will be important to continue to search for solutions to the underlying political problems. The Government of Eritrea, for its part, should seize every opportunity to engage in constructive dialogue.

Mr. Takasu (Japan): Japan joined in the adoption of resolution 1907 (2009) because it respects the initiative by African countries to contribute to stability in the Horn of Africa, including the situations in Somalia, Djibouti and Eritrea. It is Japan's conviction that disputes should be resolved and conflicts settled by diplomatic means, including dialogue and mediation. Efforts towards the resolution of conflict in the Horn of Africa should be accelerated.

Japan sincerely hopes that all States in the region, including Eritrea, will comply with the relevant Security Council resolutions and engage in dialogue with the international community, including through the good offices efforts of the Secretary-General.

The Security Council will keep the measures under constant review in the light of future developments, in order to contribute to peace and stability in the region.

Sir Mark Lyall Grant (United Kingdom): The United Kingdom voted today in favour of resolution 1907 (2009), creating a new United Nations sanctions regime on Eritrea in response to its continued violation of Security Council resolutions on Somalia and Djibouti. The resolution follows a specific request by two regional organizations — the African Union and the Intergovernmental Authority on Development — for the Security Council to take such action. The Monitoring Group on Somalia has presented evidence to the Council that Eritrea is supporting armed opposition groups in Somalia, in violation of Security Council resolution 1844 (2008). Eritrea has also failed to comply with any of the measures in Security

Council resolution 1862 (2009), adopted in January this year in response to the border skirmish between Djibouti and Eritrea.

We would like to pay tribute to the hard work that the Ugandan delegation, whose troops are in harm's way in Somalia, has put in to achieve this resolution.

The United Kingdom urges the Eritrean Government to stop its illegal actions following the adoption of this Security Council resolution and to engage constructively with international partners to help increase stability in the Horn of Africa. The nature of the international community's engagement with Eritrea in future will depend on that response.

Mr. Heller (Mexico) (*spoke in Spanish*): As Chair of the Somalia sanctions Committee established pursuant to resolution 751 (1992), Mexico is convinced that the sanctions regime should contribute to the creation of better security conditions in Somalia and to the strengthening of the Djibouti peace process.

The resolution we adopted today expands the mandate both of the sanctions Committee and of its Monitoring Group to a practically regional focus, which involves an unprecedented challenge both for the Security Council and for the countries of the region. Mexico will continue to guide the work of the Committee in a transparent manner with a focus on taking clear, consistent decisions in order to use sanctions as a means of providing control and incentives to get the various regional actors to join a process directed towards the stability of the region.

Mr. Apakan (Turkey): Having voted in favour of resolution 1907 (2009), I would like to make the following brief statement. Turkey believes in principle that disputes should be solved through diplomacy and dialogue. In that regard, I join others in hoping that today's resolution is utilized by all parties concerned as an opportunity to resolve all outstanding issues in the Horn of Africa.

The President (*spoke in French*): I shall now make a brief statement in my capacity as the representative of Burkina Faso.

Throughout the discussions on the draft resolution, Burkina Faso has continually recalled that the imposition of sanctions is an extreme measure that the Council should consider only as a last resort. However, Burkina Faso decided to vote in favour of resolution 1907 (2009) for the following reasons.

First of all, Burkina Faso continues to be very concerned by the current situation in Somalia, and we are particularly concerned today in the light of the serious deterioration of the security situation that took place on Sunday, 20 December, with clashes between illegal armed groups and Governmental soldiers, which led to 14 deaths. Attributed essentially to militia of the Al-Shabaab movement, supported by foreign fighters, these attacks make it difficult for humanitarians to work. Moreover, their scale and their intensity lend credibility to the argument about support for the insurgents coming from the outside, particularly from countries in the subregion.

Burkina Faso also wanted to ensure follow-up to the express request made by the competent bodies of the African Union in the light of the aforementioned situation. Indeed, the African Union Peace and Security Council, in the communiqué it issued after 194th meeting, held 15 June 2009, expressed its deep concern at the increased presence of foreign elements in Mogadishu and other parts of Somalia and called on the Security Council to impose sanctions on individuals and States who oppose the peace and reconciliation process in Somalia. That appeal from the Peace and Security Council was ratified by the thirteenth session of the Assembly of heads of State and Government of the African Union, which was held from 1 to 3 July 2009.

However, given that the sanctions regime provided for in the resolution that we have just adopted is accompanied by a review mechanism, Eritrea still has time to show its good faith and goodwill. We therefore urge Eritrea to cooperate with the international community, to scrupulously respect the arms embargo, to support the implementation of the Djibouti Agreement, the only framework for a political settlement of the Somali crisis, and to recognize the Transitional Federal Government as the only legitimate political authority in Somalia.

I now resume my function as President of the Security Council.

I now give the floor to the representative of Djibouti.

Mr. Olhaye (Djibouti) (*spoke in French*): I take this opportunity, Sir, to congratulate you on your assumption of the presidency of the Security Council for the month of December. I would also like to congratulate the Austrian delegation for its excellent

work last month. My delegation hails Burkina Faso's outstanding work as a member of the Security Council over the past two years and for its tireless efforts to reconcile the positions of all parties in conflict in order to reach negotiated, just and consensus-based solutions.

For my delegation, the adoption of the resolution that we are discussing today, resolution 1907 (2009), has a special dimension, as it was under an African presidency of the Security Council that a draft resolution which is crucial for several African countries in the Horn of Africa was considered and adopted.

I would like, Mr. President, to highlight the positive and constructive role played by your delegation as well as the role played by all members of the Council. This is a further manifestation of the growing cooperation between the Security Council and the African Union, aimed at restoring or maintaining peace and security on the continent.

Today's resolution was adopted on the basis of the decision adopted at the thirteenth session of the Assembly of the African Union, held in Sirte, Libya, which called on the Security Council to impose sanctions on foreign actors both within and outside the region, especially Eritrea, providing support to the armed groups engaged in destabilization activities in Somalia, undermining all efforts towards reconciliation in the country and the region, and expressed its concern at the lack of cooperation by Eritrea in implementing resolution 1862 (2009), which was adopted in January 2009.

I can thus say that there has been a convergence of views between Security Council members and the African Union on the lack of cooperation and dialogue on the part of the Eritrean authorities, who have shown nothing but disdain and denial and have continued their destabilizing actions in our region, in spite of the offers of good offices made many times by these two organizations. This convergence of views led the Security Council to shoulder its responsibilities pursuant to the Charter of the United Nations by adopting the draft resolution that was before it today.

(*spoke in English*)

Djibouti and Eritrea are two neighbours who have unfortunately had uneasy relations since Eritrea attained nationhood in 1991. It may be recalled that the territory now occupied by Eritrea was the subject of previous contention between the two countries in 1996. At that time, Eritrea produced a fictitious map purporting to show that that area was part of that country. Naturally, Djibouti vehemently objected, questioning the authenticity and veracity of the map, and immediately brought the matter to the attention the Security Council, at which point Eritrea retreated and officially withdrew the map.

Again, only a couple of years later, in the midst of intensive mediation efforts by an African Union select committee of senior African leaders during the flare-up of hostilities between Eritrea and Ethiopia, Eritrea's leader, out of sheer contempt and audacity, directed baseless accusations against the late former President and father figure of my country, who was a member of the select committee. Our reaction was, "enough is enough", and we severed diplomatic relations with Eritrea.

This lasted a few years before another rapprochement and restoration of relations occurred. But as we have bitterly found out to our utter dismay, reliability and consistency are attributes that are in serious short supply in Asmara. Thus, hardly a decade had elapsed before we found ourselves engaged in a military confrontation in early 2008 against the backdrop of a sudden and inexplicable occupation of parts of my country — Ras Doumeira and Doumeira Island — by Eritrean forces.

As Council members will recall, both my President and the Prime Minister of Djibouti have addressed the Council — on 23 October 2008 and 24 June 2008, respectively (see S/PV.6000 and S/PV.5924) — in order to underscore the seriousness of the tense situation that resulted in many deaths, many wounded and many prisoners taken on both sides, following the military clash that occurred on 10 to 12 June 2008. My Government left no stone unturned and had exhausted all avenues, involving all regional and international organizations in resolving this crisis. Notably, the Security Council, the African Union, the League of Arab States, the Intergovernmental Authority on Development and the Organization of the Islamic Conference acted swiftly, calling for an immediate ceasefire, strongly condemning Eritrea and demanding that all forces be withdrawn to the status quo ante. Djibouti heeded the calls and withdrew its forces to the status quo ante. On the other hand, not only did Eritrea reject all calls, but it consistently responded to all

entreaties from any party with denial, indifference and thinly disguised contempt.

The conclusions of the fact-finding mission dispatched by the Security Council were clear, unmistakable and far-reaching, and represented a damning indictment of the regime's erratic behaviour and on its dishonest and deliberate distortions of fact. Dissatisfied with the obvious procrastination and obstinacy of Eritrea over its continued occupation of Djiboutian territory despite repeated calls by the United Nations and regional organizations, the Security Council imposed its will through resolution 1862 (2009) of 14 January 2009, which demanded that Eritrea implement specific actions within six weeks, after which the Council would decide to take appropriate actions. However, in less than 24 hours, Eritrea, true to its character, rejected the resolution, dismissing it as ill-considered, unbalanced and unnecessary.

It is inconceivable that a year has passed without any implementation of resolution 1862 (2009), a major decision of this Council, thanks, perhaps, to forces favouring the status quo ante for the time being and perhaps to others believing in the linkage fantasy. But all underestimate the growing bitterness and frustration of my people. Addressing the Council in October last year, my President insisted:

> "The impasse imposed on us by Eritrea is intolerable and unacceptable. The provocation and inexplicable invasion of our territory are totally unacceptable... Continued inaction in whatever form will not only encourage but reward Eritrea's attitude. That would leave my country with but one option: the option of war." (*S/PV.6000, p.4*)

The Government and people of Djibouti today, however, rejoice and warmly welcome that justice has been done at last with respect to the unprovoked, naked and blatant aggression against my country by Eritrea almost two years ago. As a small, peace-loving and pragmatic nation in the midst of a turbulent region, Djibouti unmistakably pinned both its hope and faith in the central tenet of this Organization — preventing wars under a collective security arrangement whereby an aggressor of any one State is considered to be an aggressor against all other States, which act together to repel the aggressor.

It is thought that only a set of coordinated and punitive measures, targeting primarily the regime's civilian and military leadership, can force it to make unpalatable choices. Given Eritrea's legendary intransigence and defiance, and the pretence of righteousness that pervades its propaganda machine, which churns out dubious statements practically every day, doing nothing was never an option for this Council. Sanctions against Eritrea have too long been inevitable.

Rarely has a sanctions resolution come before the Security Council involving three countries and, for that matter, impacting a whole region. Such is the significance of today's landmark, historic resolution that hopes are already high in the Horn of Africa that we might be at the beginning of the end of the prolonged, destructive, senseless and wasteful wars and hostilities that have uprooted tens of millions of people, depriving them of their basic rights to life, education, development and to peace and security. That is why the measures outlined in today's resolution target only the Eritrean regime's destructive role in Somalia and its infringement of the sovereignty and territorial integrity of my country, without adversely affecting the people of Eritrea, who are ravaged by extreme pestilence and misgovernment.

Nobody, including Eritrea itself, has any illusion about the facts it deliberately wanted to create on the ground — implanting itself in the sovereign territory of Djibouti entirely for ulterior motives, as it clearly reveals in its letter of 23 November 2009 addressed to the President of the Security Council:

> "The delegation of Eritrea also wishes to seize this occasion to stress the importance of the final and binding demarcation decision that was awarded by the Eritrea-Ethiopia Boundary Commission. The matter cannot remain shelved in perpetuity if peace and stability are to take root in the region. Not only is it important on its own merit, but it is at the heart of the turbulent situation in the Horn of Africa, including the current difficult relations between Djibouti and Eritrea." (*S/2009/602*)

Continuing this weird and implausible argument, Eritrea

> "urges the Security Council not to ignore the real issue behind many conflicts in our region and to take concrete measures to ensure that Ethiopia

> abides by its treaty obligations and international law and withdraws its troops from sovereign Eritrean territories that it is illegally occupying" (*ibid.*)

Unabashedly, Eritrea is saying loud and clear to this Council that it is justified in continuing to illegally occupy the sovereign territory of the Republic of Djibouti as long as Eritrea is at loggerheads with Ethiopia. That is the challenge facing this Council.

For the one and a half years since the clash 10-12 June 2008, Eritrea has been stonewalling in providing information about the conditions and whereabouts of Djibouti's prisoners of war, numbering 19 soldiers, including a senior officer. Access has been consistently denied to the International Red Cross And Red Crescent Movement and to other well-meaning delegations, countries and individuals. Overall, Djibouti lost 27 soldiers in this conflict, with 119 wounded. We have humanely treated and continue to treat Eritrean prisoners of war in our custody, allowing access to all concerned. We demand that Eritrea, as a State Member of the United Nations, accept its international obligations under the Third Geneva Convention.

For the first time since Somalia plunged into anarchy and degenerated into a country where feudal warlords and Islamist insurgents compete for power, there is an overwhelming consensus within the region on the way forward to bringing about peace and security in Somalia. Likewise, other members of the international community have extended necessary recognition and support to the Transitional Federal Government. Overall, there is a major recognition of the need to improve and strengthen Somalia's security sector — incrementally, although we should not squander the momentum.

Indeed Somalia, and Mogadishu in particular, are currently a challenging environment for all. One wonders, in the light of the growing and deadly insurgency, whether the United Nations can be persuaded to re-evaluate its role in Somalia. More to the point, one wonders whether the meticulously observed three-phase approach is compatible with the overall changing scenario on the ground. It is pertinent in this respect to note what the *Economist* magazine exhorted in its issue of 8 December:

> "Until someone has the courage and the equipment to intervene decisively on a large scale, Somalia will remain the world's murkiest failed State, with ordinary Somalis trapped in their misery."

Eritrea has been warned repeatedly by the international community to desist from providing support to acts that threaten peace, security and stability in Somalia and that prevent or block the implementation of the Djibouti peace process. The Council's action in adopting resolution 1907 (2009) today therefore underscores its determination to put an end to destabilization activities against Somalia by Eritrea and other foreign actors.

The President (*spoke in French*): I call on the representative of Somalia.

Mr. Duale (Somalia): Thank you, Sir, for giving me this opportunity to address the Security Council on the situation in Somalia and specifically with regard to resolution 1907 (2009), adopted today by the Council. I wish also to state my support for and agreement with the statement made by my colleague from Djibouti. I also wish to thank the Ambassador of Uganda for the very consistent way in which he has made efforts to ensure that the resolution was adopted by the Security Council. I also thank you, Sir, for your presidency.

We fully support the resolution just adopted because we sincerely believe that Eritrea has been a major negative factor in the prolongation of the conflict in Somalia. The Transitional Federal Government has repeatedly shown its willingness to enter into dialogue with the Government of Eritrea with a view to resolving all differences between all parties concerned and to persuading Eritrea, a member country of the African Union, to desist from meddling in Somalia's affairs, but so far to no avail. We therefore believe that the resolution just adopted by the Council is a very positive step towards resolving the situation of insecurity in the Horn of Africa. We hope that Eritrea will be persuaded accordingly.

On the Djibouti front, I agree with what my colleague from Djibouti has stated; additionally, Eritrea has demonstrated an unfriendly and unneighbourly attitude towards Djibouti all along. As in the past, Eritrea lacks any justification for its desperate and expansionist moves against Djibouti. It is not my intention to enumerate all the destructive and hostile activities carried out by Eritrea against Somalia during the past two decades, but I must mention a number of those activities.

First, Eritrea has been giving refuge and safe haven to known terrorists, rebels, spoilers and violators of human rights, whose purpose all along has been to destabilize Somalia. Those same groups have committed crimes against humanity and crimes against the Somali people.

Secondly, Eritrea has been providing, financing and facilitating the flow of arms and resources to extremists and terrorist elements in Somalia.

Thirdly, Eritrea has been providing as much economic, political, moral and propaganda support as it can to the armed insurgents and spoilers in Somalia.

Fourthly, Eritrea's hostile activities of the past two decades include the blatant sabotaging of peace efforts and reconciliation, as well as frustrating the efforts of the previous Transitional National Government and the current Transitional Federal Government, towards the stabilization, rehabilitation and reconstruction of Somalia.

Despite all the hostile and negative activities of Eritrea against the Somali Government and people, the Transitional Federal Government is ready at any time to enter into serious dialogue with Eritrea to solve any outstanding matters and issues. Unfortunately, its past behaviour does not give us confidence that Eritrea will change its hostile attitude towards Somalia.

Under those circumstances, we seek the urgent support of the Security Council, the United Nations and the international community in confronting Eritrea squarely, now rather than later, and in encouraging it to join the ongoing efforts of the United Nations and the international community in support of enhancing the ongoing peace and stabiliz .tion process in Somalia.

The President (*spoke in French*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

As this may be the last public meeting of the Security Council for December 2009, allow me to express my gratitude to the five outgoing Council members: Costa Rica, Croatia, the Libyan Arab Jamahiriya, Viet Nam and Burkina Faso. I commend them for their hard work, diligence and drive during their 2008-2009 term on the Security Council.

The meeting rose at 11.25 a.m.